

Judge Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
)
Plaintiff,
)
v.
)
JESUS CERVANTES-BRAVO,
GONZALO RODRIGUEZ, and
JOSE FRANCISCO RODRIGUEZ,
)
Defendants.
)

NO. CR05-331JLR

**ORDER CONTINUING
TRIAL DATE AND PRETRIAL
MOTIONS DATE**

THIS MATTER comes before the Court on a motion by defendants Gonzalo Rodriguez and José Francisco Rodriguez, joined in by the United States, to continue the trial date and the pretrial motions cut-off date. Having considered the entirety of the record and files herein, the Court finds that failure to grant a continuance would likely result in a miscarriage of justice. The case is unusual and complex. The defendants were originally charged with 14 other defendants in CR05-281JLR, but a separate Indictment was returned on September 8, 2005. All of the defendants are in custody and Spanish-speaking. The evidence in this case is derived from a larger investigation, and includes a large number of intercepted telephone conversations in Spanish, and over 300 pages of reports from federal agents and state officers. Several pretrial motions have been filed and are pending.

1 It is unreasonable to expect adequate preparation for trial before the current trial
2 date, scheduled in CR05-281JLR, of September 17, 2005. The Court further finds that
3 the interests of the public and the defendants in a speedy trial in this case are outweighed
4 by the ends of justice.

5 IT IS NOW, THEREFORE, ORDERED that trial in this matter be continued to
6 October 24, 2005, and that the time between the date of this Order and the new trial date
7 be excludable time under the Speedy Trial Act pursuant to Title 18, United States Code,
8 Sections 3161(h)(8)(A), 3161(h)(8)(B)(i), and 3161(h)(8)(B)(ii).

9 IT IS FURTHER ORDERED that pre-trial motions shall be filed on or before
10 September 28, 2005.

11 Dated this 3rd day of October, 2005.

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14 JAMES L. ROBART
15 United States District Judge

16 Presented by:

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